

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**IN RE: ZETIA (EZETIMIBE) ANTITRUST
LITIGATION**

MDL No. 2836

(SEE ATTACHED SCHEDULE)

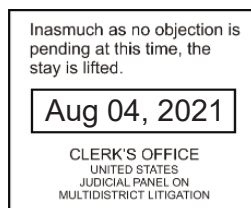
CONDITIONAL TRANSFER ORDER (CTO –3)

On June 8, 2018, the Panel transferred 2 civil action(s) to the United States District Court for the Eastern District of Virginia for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 325 F.Supp.3d 1369 (J.P.M.L. 2018). Since that time, 4 additional action(s) have been transferred to the Eastern District of Virginia. With the consent of that court, all such actions have been assigned to the Honorable Rebecca Beach Smith.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of Virginia and assigned to Judge Smith.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. § 1407 to the Eastern District of Virginia for the reasons stated in the order of June 8, 2018, and, with the consent of that court, assigned to the Honorable Rebecca Beach Smith.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Virginia. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel.



FOR THE PANEL:

John W. Nichols
Clerk of the Panel

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SCHEDULE CTO-3 – TAG-ALONG ACTIONS

<u>DIST</u>	<u>DIV.</u>	<u>C.A.NO.</u>	<u>CASE CAPTION</u>
CALIFORNIA NORTHERN			
CAN	4	21-05497	Kaiser Foundation Health Plan Inc v. Merck & Company Inc. et al